

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
EUREKA DIVISION

SHERYL MAY RIMAS EUGENIO,

Plaintiff,

v.

JOHNNY BENSON EUGENIO,

Defendant.

Case No. 23-cv-02832-HSG (RMI)

**ORDER APPOINTING PROCESS
SERVER**

Re: Dkt. No. 107

Plaintiff has filed a request that Nationwide Legal, LLC, a registered California process server, be specially appointed to serve any writs of execution. *See* Request, Dkt. 107-1. Federal Rule of Civil Procedure 4.1 provides in relevant part that: “Process—other than a summons under Rule 4 or a subpoena under Rule 45—must be served by a United States marshal or deputy marshal or by a person specially appointed for that purpose.” Fed. R. Civ. P. 4.1(a). Under federal law, “[a] money judgment is enforced by a writ of execution, unless the court directs otherwise.” Fed. R. Civ. P. 69(a). “The procedure on execution—and in proceedings supplementary to and in aid of judgment or execution—must accord with the procedure of the state where the court is located, but a federal statute governs to the extent it applies.” *Id.* Under California law, a registered process server may levy under a writ of execution in accordance with California Code of Civil Procedure Section 699.080. ““Registered process servers may be authorized and appointed under Rule 4.1 for this purpose.”” *United Specialty Ins. Co. v. Bani Auto Grp., Inc.*, No. 18-CV-01649-BLF, 2022 WL 14814117, at *1 (N.D. Cal. Oct. 25, 2022) (quoting *First Midwest Equip. Fin. Co. v. Aero Transp., Inc.*, No. 1:18-mc-00017-AWI-SAB, 2022 WL 2359284, at *1 (E.D. Cal. June 30, 2022)).

Accordingly, IT IS HEREBY ORDERED as follows:

(1) Plaintiff's request is GRANTED;

(2) Nationwide Legal, LLC, a registered California process server, is authorized and appointed to serve any writs of execution in this action; and

(3) The United States Marshal shall remain the levying officer.

IT IS SO ORDERED.

Dated: August 19, 2025



ROBERT M. ILLMAN
United States Magistrate Judge